

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:14-cv-00028-FDW-DSC

HARTFORD CASUALTY INSURANCE)
COMPANY AND HARTFORD)
UNDERWRITERS INSURANCE)
COMPANY,)

Plaintiffs,)

vs.)

BLYTHE DEVELOPMENT COMPANY,)
GREAT AMERICAN INSURANCE)
COMPANY, ZURICH AMERICAN)
INSURANCE COMPANY, AMERICAN)
GUARANTEE AND LIABILITY)
INSURANCE COMPANY, THE NORTH)
RIVER INSURANCE COMPANY, FCCI)
INSURANCE COMPANY, AND QBE)
INSURANCE CORPORATION,)

ORDER
and
AMENDED NOTICE OF HEARING

Defendants/Counterclaimants.

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THIS MATTER is before the Court *sua sponte* concerning the scheduling of this case, as well as the parties' separate submission of proposed jury instructions.

First, as to the scheduling of this matter, the Court hereby reschedules the pretrial conference to take place on **Wednesday, February 18, 2015, at 9:00 am** in Courtroom #2-2 of the Charles R. Jonas Building, 401 W. Trade Street, Charlotte, North Carolina 28202. The parties should note the new time and courtroom location.

Next, the Court has already set jury selection in this case to commence on March 4, 2015. Because this case is the only matter on the Court's March trial calendar that is proceeding to trial, the Court hereby informs counsel and the parties that trial will begin with opening statements immediately after jury selection on March 4, 2015. Furthermore, because this is the only case proceeding to trial, the Court hereby informs counsel and the parties that the Court must be informed of settlement in this matter by 12:00 pm on Tuesday, March 3, 2015, so that the Court may timely inform the jury pool that they do not need to report for jury selection the next day. If counsel fails to timely inform the Court of settlement and the jury unnecessarily reports for duty, the Court may tax the costs for the jury to the parties and/or counsel.

Finally, the Court notes that the parties timely submitted their proposed jury instructions. (Docs. Nos. 146, 148). These proposed instructions, however, fail to comply with this Court's standing orders and are hereby STRICKEN. The parties are directed to submit ONE jointly-prepared proposed set of jury instructions. Where the parties disagree, an alternative proposed instruction should immediately follow the opposing party's proposed instruction. This jointly-prepared proposed set of jury instructions should be submitted no later than 12:00 pm on

Tuesday, February 17, 2015.

IT IS SO ORDERED.

Signed: February 12, 2015

A handwritten signature in cursive script, reading "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

